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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.	
10/688,708	10/17/2003	Adam M. Kennedy	02W155	2192	
7590 05/11/2005			EXAMINER		
Raytheon Company			TRINH, HOA B		
Intellectual Property & Licensing, EO/E04/N119			APTINIT	0.000.000	
2000 East El Segundo Boulevard			ART UNIT	PAPER NUMBER	
P O Box 902			2814		
El Segundo, CA	1 90243		DATE MAILED: 05/11/2009	DATE MAILED: 05/11/2005	

Please find below and/or attached an Office communication concerning this application or proceeding.

		Application N	lo. Appl	icant(s)	_
Vikis H. Trinh		10/688,708	KENI	NEDY ET AL.	Ø
The MALLING DATE of this communication appears on the cover sheet with the correspondence address — Period for Reply  A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 1 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.  Ederacines term smy be available under the provision of 3 CFR 1.136(a). In a event, however, may a reply the timely filled  # the public for reply separative under the provision of 3 CFR 1.136(a). In a event, however, may a reply the timely filled  # the public for reply separative under the provision of 3 CFR 1.136(a). In a event, however, may a reply the timely filled  # the public for reply separative under the provision of 3 CFR 1.136(a). In a event, however, may a reply the timely filled  # the public for reply separative under the provision of the communication of the communication of the public for reply vision in the state extended particle for reply with by statistics, excent plants on the separative provision of the public of reply vision in the state extended particle for reply with the state provision of the state of the communication.  ## Public the public for reply separative the state of the communication of the public of the public of the communication of the public of the public of the public of the communication of the public of the communicatio	Office Action Summary	Examiner	Art U	Jnit	
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1) Responsive to communication(s) filed on	THE MAILING DATE OF THIS COMMU  - Extensions of time may be available under the provisi after SIX (6) MONTHS from the mailing date of this co  - If the period for reply specified above is less than thirt  - If NO period for reply is specified above, the maximum  - Failure to reply within the set or extended period for re Any reply received by the Office later than three month	INICATION. ons of 37 CFR 1.136(a). In no event, hommunication. y (30) days, a reply within the statutory in statutory period will apply and will expeptly will, by statute, cause the applications after the mailing date of this communications.	owever, may a reply be timely filed minimum of thirty (30) days will be ire SIX (6) MONTHS from the mail on to become ABANDONED (35 U	considered timely. ing date of this communication. .S.C. § 133).	
2a) This action is FINAL.  2b) This action is non-final.  3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under Ex parte Quayle, 1935 C.D. 11, 453 O.G. 213.  Disposition of Claims  4) Claim(s) 1-27 is/are pending in the application.  4a) Of the above claim(s) is/are withdrawn from consideration.  5) Claim(s) is/are allowed.  6) Claim(s) is/are allowed.  6) Claim(s) is/are objected to.  8) Claim(s) is/are objected to.  8) Claim(s) is/are objected to restriction and/or election requirement.  Application Papers  9) The specification is objected to by the Examiner.  10) The drawing(s) filed on is/are: a) accepted or b) objected to by the Examiner.  Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).  11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.  Priority under 35 U.S.C. § 119  12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  a) All b) Some of None of:  1. Certified copies of the priority documents have been received in Application No  3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).  *See the attached detailed Office action for a list of the certified copies not received.  Attachment(s)  1) Notice of Drashperson's Patent Drawing Review (PTO-948)  3) Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  5) Notice of Informal Patent Application (PTO-152)  6) Other:	Status				
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Paper No(s)/Mail Date 6) Other:  J.S. Patent and Trademark Office	2) D Notice of Draftsperson's Patent Drawing Review		Paper No(s)/Mail Date		
J.S. Patent and Trademark Office		·	_	pplication (PTO-152)	
	U.S. Patent and Trademark Office PTOL-326 (Rev. 1-04)	Office Action Summary		of Paper No /Mail Date 0405	

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## **DETAILED ACTION**

## Election/Restrictions

- 1. Restriction to one of the following inventions is required under 35 U.S.C. 121:
  - I. Claims 1-8, drawn to a radiator detector, classified in class 257, subclass 682.
  - II. Claims 9-20, drawn to a method of making a radiation detector, classified in class438, subclass 63
  - III. Claims 21-27, drawn to a method of assembly, classified in class 438, subclass 57.

The inventions are distinct, each from the other because of the following reasons:

- 2. Inventions II and I are related as process of making and product made. The inventions are distinct if either or both of the following can be shown: (1) that the process as claimed can be used to make other and materially different product or (2) that the product as claimed can be made by another and materially different process (MPEP § 806.05(f)). In the instant case the product can be made by another and materially different process such that the process includes the step of providing a sensor electrical pathway extending through a sensor feedthrough, instead of moving at least one of the window and the lower detector assembly into contact.
- 3. Inventions II and III are unrelated. Inventions are unrelated if it can be shown that they are not disclosed as capable of use together and they have different modes of operation, different functions, or different effects (MPEP § 806.04, MPEP § 808.01). In the instant case the different inventions have different effects because the method of assembly has the step of sealing the spaced-apart outer package components together using an activated sealant material, instead of hermetically sealed the window and the lower detector assembly together.

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4. Inventions III and I are related as process of assembly and product made. The inventions are distinct if either or both of the following can be shown: (1) that the process as claimed can be used to assemble other and materially different product or (2) that the product as claimed can be assembled by another and materially different process (MPEP § 806.05(f)). In the instant case, the product can be assembled with other and materially different process such that the process includes the step of providing a getter disposed within the chamber, instead of removing the detector.

## Conclusion

Any inquiry concerning this communication or earlier communications from the Examiner should be directed to Vikki Trinh whose telephone number is (571) 272-1719. The Examiner can normally be reached from Monday-Friday, 9:00 AM - 5:30 PM Eastern Time. If attempts to reach the examiner by telephone are unsuccessful, the Examiner's supervisor, Mr. Wael Fahmy, can be reached at (571) 272-1705. The office fax number is 703-872-9306.

Any request for information regarding to the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Also, status information for published applications may be obtained from either Private PAIR or Public Pair. In addition, status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <a href="http://pair-direct.uspto.gov">http://pair-direct.uspto.gov</a>. If you have questions pertaining to the Private PAIR system, please contact the Electronic Business Center (EBC) at 866-217-9197 (toll free).

Lastly, paper copies of cited U.S. patents and U.S. patent application publications will cease to be mailed to applicants with Office actions as of June 2004. Paper copies of foreign

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patents and non-patent literature will continue to be included with office actions. These <u>cited</u>
U.S. patents and patent application publications are available for download via the Office's
PAIR. As an alternate source, <u>all</u> U.S. patents and patent application publications are available on the USPTO web site (<u>www.uspto.gov</u>), from the Office of Public Records and from commercial sources. Applicants are referred to the Electronic Business Center (EBC) at <a href="http://www.uspto.gov/ebc/index.html">http://www.uspto.gov/ebc/index.html</a> or 1-866-217-9197 for information on this policy. Requests to restart a period for response due to a missing U.S. patent or patent application publications will not be granted.

Vikki Trinh, Patent Examiner AU 2814